



# **M** Councilmember **Howard A. Denis** **News** **FOR DISTRICT 1**



Fall 2005

Dear Neighbor,

This is my annual report to you as your representative on the Montgomery County Council. I am humbled by the opportunity to work for you and optimistic about our County's future.

Since I reported to you last, our County has weathered the most difficult budget season many can remember. Our challenges were to offset rapidly increasing property tax assessments, while maintaining excellence in our public schools, transportation services, and public safety.

Educating our children remains our top priority. The budget for Montgomery County Public Schools comprises over half of the overall County budget. Despite the fiscal challenges, the Council managed to continue its support for reducing class size, implementing all-day kindergarten, and funding desperately needed school modernizations and additions, many of which are located in our district.

In addition to supporting quality education, we supported funding for improving our road network and public transit. In public safety, the Council approved an additional 34 police officers. I also succeeded in ensuring that trash collection services were restored in our County Parks.

In funding these critical services, the Council passed a budget that was balanced and met the Charter limit for property tax revenue through a mix of across-the-board tax rate cuts, a property tax credit for every homeowner, and cuts for senior citizens.

Land use remains a major issue in District 1. I introduced legislation that was unanimously approved to extend protections for seniors and those with developmental disability in the event of condominium conversions. My legislation to preserve 10 acres in North Bethesda was also unanimously approved by the Council. Furthermore, I am hopeful that my legislation regarding the height of new in established neighborhoods will receive favorable consideration. I am also pleased to be a co-sponsor of new legislation to protect homeowners from water runoff.

In all of these areas, your input is appreciated. Please consider inviting me to attend a future meeting of your community association, or come see me in my office. My e-mail address and phone number are listed in this newsletter. Remember, the Council's worksessions are televised and information about matters before the Council can be found at our website ([www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)).

*Howard*



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## Schools, Public Safety Are Top Budget Priorities

The County Council unanimously approved a budget for FY 2006 - which began on July 1, 2005 - that cuts property tax revenue to the Charter limit. We met the limit by reducing Executive's proposed operating and capital budgets by \$54 million while supporting needed investments for the school system, Montgomery College, public safety, and infrastructure maintenance.

The FY 2006 budget for Montgomery County Public Schools is over half of our operating budget at \$1.7 billion, a 7 percent increase over last year. Included in the schools budget are initiatives to expand full-day kindergarten to 20 additional schools, reduce class size guidelines in elementary schools by two students, reduce oversized classes in secondary schools, and add assistant principals in 15 elementary schools. We also fully funded Montgomery College, including the expansion of the College Institute Program.

The Council boosted spending for our Police Department by \$18 million or 11% and added 34 new positions. We also approved \$340,000 to increase staffing and improve response times in County firehouses.

The Council responded to my call and ended the Carry-In, Carry-Out



**Congressman Chris Van Hollen, Del. Bill Bronrott and Councilmember Denis Dedmon dedicate the Trolley at Glen Echo Park.**

experiment that removed trash cans from most County parks. The Council directed the Park and Planning Commission to replace trash cans needed to deal with refuse in the parks.

The Council also approved \$6.9 million for needed infrastructure and deferred maintenance of County facilities, including streetlights, sidewalks and road resurfacing.



**Councilmembers Howard Denis and Phil Andrews speak out against the proposed ambulance fee.**

## Bill Aims to Curb Runoff

Along with Councilmembers Nancy Floreen and Marilyn Praisner, I am cosponsoring legislation to address the problem of water draining onto neighboring properties from new construction or large renovations. The legislation (Bill 25-05) will require builders to submit a drainage plan when they apply for a building permit. The plan must show that excessive runoff will not flow onto neighboring properties. The drainage plan can be reviewed by neighbors and is legally enforceable.

This is important legislation to address one of the side effects of new construction. Problems with drainage are especially acute in smaller-lot neighborhoods. Many homeowners in these communities have been frustrated to find their property damaged by water runoff from new construction nearby. This legislation gives us a tool to address these problems - hopefully before they arise.

## School Initiatives in District 1

### Capital Projects

- Bells Mill Elementary - planning funds for modernization/new gym
- Burning Tree Elementary - planning funds for new gym
- Farmland Elementary - planning and construction funds for a new addition and gym
- Garrett Park Elementary - planning and construction funds for a new addition
- Kensington-Parkwood Elementary - construction funds for modernization and gym
- Seven Locks Elementary - planning funds for a new school as proposed by the Board of Election
- Somerset Elementary - modernization completed
- Thomas Pyle Middle School - planning funds for addition
- Walter Johnson High School - planning funds for modernization

### All-Day Kindergarten

- Ashburton Elementary School
- Bannockburn Elementary School
- Bradley Hills Elementary School
- Fallsmead Elementary School
- Luxmanor Elementary School
- Potomac Elementary School
- Somerset Elementary School



## Height ZTA Nears Final Vote

I introduced ZTA 03-27 in response to numerous concerns regarding the size of replacement homes that can loom over smaller, older housing. The problem is further exacerbated by loopholes and vague definitions in the County's Zoning Ordinance. The legislation is cosponsored by Councilmember Subin.

The legislation seeks to accomplish three things. First, It eliminates the terrace credit

and measures height using preexisting grade. The point of measurement then moves from street elevation to an average elevation along the front of a new home. In my opinion, the current law opened the door for some to build up artificial terraces to gain height.

Next, I wanted to reduce the height of homes in small-lot neighborhoods by setting an absolute height limit of 35 feet. Currently, height is measured to the midpoint of a roof, resulting in some new houses being built over 40 feet tall. (I have since proposed an amendment to this part of the legislation that I discuss below.)

Finally I wanted to reaffirm the use of story in the zoning ordinance. Currently no home can be larger than 2 ½ stories. This is an important limit that reduces the bulk of homes.

In the review by the Council, a number of important issues have been addressed, to which there is now agreement between the builders association and the community. With these issues agreed upon and vetted, I am convinced there remains only one major issue to be resolved. Do we lower building height?

The Council is currently considering an amendment that keeps the practice of measuring height to the midpoint of a roof, but reduces the maximum height of replacement homes in small-lot zones to 30 feet. Because the ZTA raises the lower point of measurement, this will result in a two-foot decrease in height.

The public hearing on changes to the height limit was well attended and the Council received compelling testimony from concerned citizens. The final vote on the legislation will occur in October.

## Councilmember Denis calls for the preservation of open space in North Bethesda.

The Council unanimously approved a resolution I introduced with Councilmember Floreen to preserve ten acres at the corner of Strathmore Road and Rockville Pike. This open space was threatened by plans to redevelop the American Speech-Language-Hearing Association (ASHA) property into housing.



## Protecting Seniors and the Disabled from Condo Conversions

I was the lead sponsor of a bill to extend protections for seniors and those with developmental disability living in rental units being converted to condominiums. The new law requires a developer to offer a three-year tenancy to all seniors and those with disabilities regardless of income or length of residency. These protections were already available to some seniors and those with physical disability. The bill was unanimously passed by the Council and signed into law.

The Council had also sought to require lifetime leases for developmentally disabled who meet certain income eligibility standards. However, State law expressly prohibits counties from requiring lifetime tenancies for anyone other than low income seniors or the physically disabled. A bill addressing this problem will be introduced in the State Senate by Senator Brian Frosh this spring.

## Councilmember Denis – with Councilmember Leventhal, County Executive Duncan, and Council President Perez – Discusses Montgomery Rx Discount Prescription Drug Cards.

The County is offering discount drug cards that are free available to all County residents, regardless of age, income, or existing health coverage. These cards are accepted in more than 120 pharmacies in the County and more than 54,000 nationwide. Cards are available at all County libraries and regional services centers, or by calling 240-777-1245. County residents can find a participating drug store or pharmacy by calling 1-877-321-2653. For more information, visit [www.montgomerycountymd.gov](http://www.montgomerycountymd.gov) and click on the Montgomery Rx link.





# Quick County Resources

Abandoned Vehicles..... 301-840-2454  
 Animal Complaints..... 240-773-5925  
 Animal Services..... 240-773-5960  
 Board of Education ..... 301-279-3617  
 Building Permits & Inspections..... 240-777-6210  
 Bus Schedules ..... 240-777-RIDE  
 Cable Complaints..... 240-777-3636  
 Circuit Court ..... 240-777-9466  
 County Facilities Reservations..... 240-777-2706  
 Consumer Affairs ..... 240-777-3636  
 County Council..... 240-777-7900  
 County Executive ..... 240-777-2500  
 County General Information..... 240-777-1000  
 Crisis Hotline (24 hours)..... 301-315-4000  
 Emergency (Police, Fire & Rescue)..... Dial 911  
 Non-Emergency..... 301-279-8000  
 Environment Protection ..... 240-777-7770  
 Health Code Violations..... 240-777-3986

Housing/Code Enforcement..... 240-777-3600  
 Illegal Dumping ..... 240-777-7623  
 Land Records..... 240-777-9477  
 Library Telephone Reference ..... 240-777-0001  
 Montgomery College General..... 301-279-5000  
 MCPS..... 301-279-3391  
 Noise Control..... 240-777-7770  
 Parking Violations ..... 240-777-8960  
 Parks ..... 301-495-2525  
 Property Tax Assessments ..... 301-279-1431  
 Property Tax Billing..... 240-777-8950  
 Snow Removal & Potholes..... 240-777-7723  
 Street Lights..... 240-777-2190  
 Trash Collection ..... 240-777-6400  
 Water Main Break..... 301-206-4002  
 Zoning Complaints ..... 240-777-6259  
 Zoning Information ..... 240-777-6240

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